

# Order

Michigan Supreme Court  
Lansing, Michigan

March 7, 2008

Clifford W. Taylor,  
Chief Justice

135137

Michael F. Cavanagh  
Elizabeth A. Weaver  
Marilyn Kelly  
Maura D. Corrigan  
Robert P. Young, Jr.  
Stephen J. Markman,  
Justices

DIMITRIOS ZAVRADINOS,  
Plaintiff-Appellant,

v

SC: 135137  
COA: 268570  
Oakland CC: 2004-062158-CK

JTRB, INC., JTR II, L.L.C., RTI, INC.,  
LITTLE DADDY'S OF BLOOMFIELD  
HILLS, MICHIGAN, L.L.C., RICHARD  
ROGOW, ATHANASIOS PERISTERIS,  
and DARREN MCCARTY,  
Defendants,

and

ROBERT PROBERT,  
Defendant-Appellee,  
and

LIZA DANIELLE PROBERT,  
Intervening Party-Appellee.

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On order of the Court, the application for leave to appeal the August 23, 2007 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other peremptory action. MCR 7.302(G)(1). The parties shall address the following questions: (1) whether *DeYoung v Mesler*, 373 Mich 499 (1964), correctly construed MCL 557.151 to mean that there is a statutory presumption that property held jointly by a husband and wife is held by them as tenants by the entirety unless the title or conveyance expressly provides otherwise, (2) if so, how the presumption of a tenancy by the entirety may be overcome, and (3) whether a provision in the title or conveyance specifically identifying the property owners as husband and wife affects the determination whether the presumption of a tenancy by the entirety has been overcome. The parties shall submit supplemental briefs within 42 days of the date of this order addressing these issues. The parties shall avoid submitting mere restatements of their application papers.



s0304

I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

March 7, 2008

*Corbin R. Davis*

Clerk